SEC. 505. REPEAL OF CERTAIN OBSOLETE PROVISIONS.

(a) RESTRICTION ON PAYMENT TO CERTAIN RETIRED MILITARY OFFICERS.—Subsection (a) of section 801 of title 37, United States Code, is repealed.

(b) INTERIOR APPROPRIATIONS.—Section 319 of the Act of September 27, 1988 (Interior Department Appropriations, Fiscal Year 1988) 18 USC 208 note. (public Law 100-446, 102 Stat. 1774, 1826) is repealed.

SEC. 506. RECERTIFICATION OF SENIOR EXECUTIVES.

(a) Chapter 33 of title 5, United States Code, is amended—

(1) by inserting immediately following section 3393 the following new section:

"**§ 3393a. Recertification**

"(a)(1) In order to ensure that the performance of career appointees demonstrates the excellence needed to meet the goals of the Senior Executive Service, as set forth in section 3131, each career appointee shall be subject to recertification by the employing agency in accordance with the provisions of this section.

"(2) Beginning in calendar year 1991, and every third recurring calendar year thereafter, the head of an agency shall determine a time during such calendar year when the performance of career appointees in the agency shall be subject to recertification.

Recertification shall not be required of any career appointee who has not been continuously employed as a senior executive for the 156 weeks preceding the time determined for the recertification. For the purposes of the previous sentence, a break in service of 6 months or less shall be deemed not to interrupt the 156 weeks of continuous employment.

(b) The supervising official of each career appointee shall submit to a performance review board established by the agency under section 4314 a recommendation as to whether the career appointee's performance justifies recertification as a senior executive, based on such factors as the career appointee's performance ratings for the 3 preceding years under section 4314, any award or other recognition received by the career appointee, any developmental activities of the career appointee, and any other relevant factors. The supervising official's recommendation shall reflect that official's view as to whether the career appointee's overall performance over the 3 preceding years has demonstrated the excellence expected of a

senior executive in relation to the written performance requirements for the career appointee's senior executive position as established under section 4312(b). The career appointee may submit to the performance review board a statement of accomplishments and other documentation giving evidence of the quality of the career appointee's performance.

(cXD After considering the recommendation and other information received under subsection (b), the performance review board shall submit to the appointing authority a recommendation as to whether the career appointee should be recertified, conditionally recertified, or not recertified as a senior executive. If the board proposes to recommend conditional recertification or non-recertification, then the affected appointee shall be so notified and shall have the opportunity to appear before the performance review board. If the board is recommending that the career appointee be recertified, the board may also recommend that the career appointee's rate of basic pay be increased to a higher rate